Driveway Appeals Process

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Traffic Engineering Conference

NCDOT's Vision of Access

Developer's Vision of Access
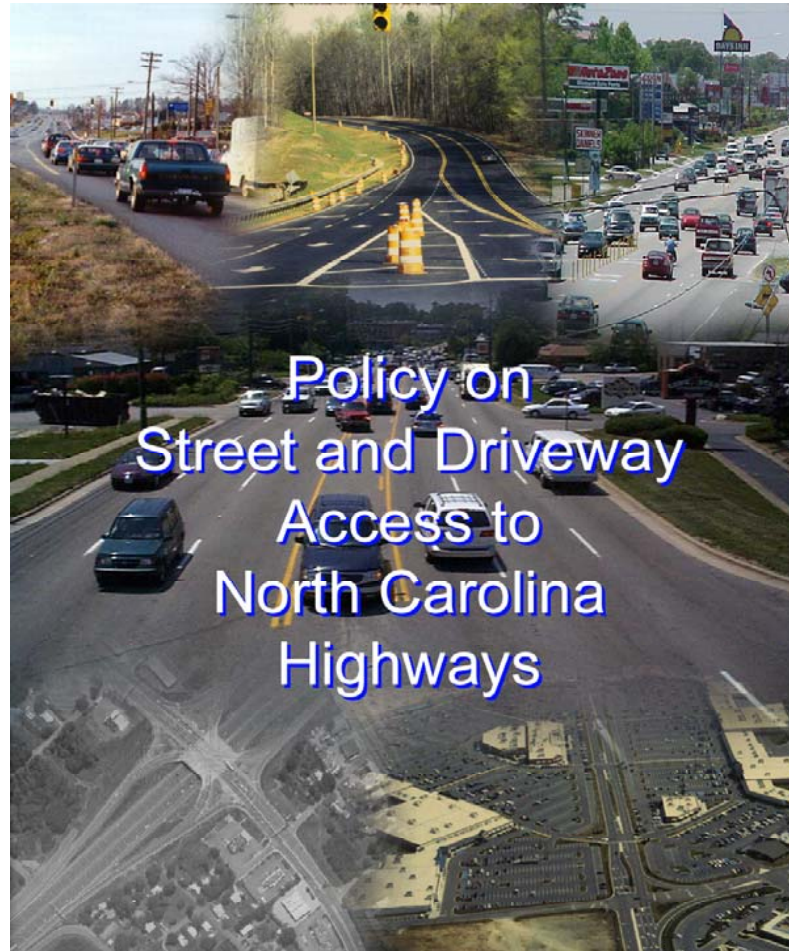
Prevent Adverse Conditions

Incidents Increase With Increased Conflict Points

North Carolina Department of Transportation
July 2003

Policy on
Street and Driveway
Access to
North Carolina
Highways

When an applicant objects to denial of a Permit, or objects to any of the terms or conditions placed on the Permit, the applicant may file an appeal in writing to the Division Engineer within 30 days of the applicant's receipt of the notice of denial or the transmittal of the Permit for the applicant's signature.

- The first level of appeal is to the Division Engineer

- Will review the appeal and will render a decision on the appeal within seven calendar days

- Will respond to the applicant in writing of his decision

The second level of appeal is to the Driveway Permit Appeals Committee.

If conditions ... cannot be resolved at the first level of appeal, the applicant may forward a written appeal within 30 days ... to the Chairperson of the Driveway Permit Appeals Committee

In no case will the Committee act on a request until all actions to resolve the appeal at the first level have been exhausted and Division Engineer has rendered a decision on the appeal.

Driveway Permit Appeals Committee Members

- Director of Field Operations – Chairperson*
- Traffic Engineering – State Traffic Engineer or designee
- PDEA – Branch Manager or designee
- Right of Way – State Negotiator or designee
- Roadway Design – Unit Head or designee
- Design Services – Unit Head or designee
- Non-Voting Member – FHWA Representative

Appeals Committee Procedure

- Applicant submits appeal
- Committee reviews appeal, renders decision
- Committee chair forwards decision to Chief Engineer for concurrence
- Chief Engineer forwards decision to Division Engineer
- Division Engineer informs Applicant of decision in writing
- Committee Chair to sign permit if decision of District/Division Engineer is modified